Application Control Number 09/993,695 Docket Number: AD6372 US CIP3

REMARKS/ARGUMENTS

The amendment to the specification is intended to correct an incorrect spelling of the word "isocyanate". Basis for the amendment to the claims can be found in the "Notes:" at the bottom of the table, page 8, line 18, of the original specification (after the above spelling correction) and as such the amendment does not represent new matter.

At present, Claims 1 through 5, 8 through 12, and 15 are rejected under 35 U.S.C. 102(e) as being unpatentable over a published patent application to Wolf et al. (2002/0197425 A1). Reconsideration of this rejection is requested.

As amended the independent claims are now limited to using the "diphenylene isocyanate" adhesive. In view of this amendment it is felt that there is a basis for the withdrawal of the §102(e) rejection and such action is requested.

At present, Claims 1 through 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over a published patent application to Wolf et al. (2002/0197425 A1) in view of an issued patent to Tsukamoto et al. (US 6,063,462). Reconsideration of this rejection is requested.

In asserting the above combination of references the Office Action utilizes the teaching of Tsukamoto et al found at column 7 lines 44-45 (i.e., " a thermoplastic polyurethane elastomer") to establish that the polyurethane used as an adhesive is elastomeric. It is respectfully submitted that as amended all independent claims now identify and are limited to the use of "diphenylene isocyanate" as the adhesive, which technically is not and does not become a "thermoplastic polyurethane elastomer" as taught in the Tsukamoto et al reference. In view of this difference it is felt that no *prima facie* showing of obviousness is being made by the combination of teachings.

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Such action is requested.

In view of the above brief remarks and amendments to the claims, it is felt that there is a basis for the withdrawal of the §103(a) rejection of claims based on the reference of record and that all claims are now in condition for allowance.

Should the Examiner believe that an interview or other action in Applicant's behalf would expedite prosecution of the application, the Examiner is urged to contact Applicant's attorney by telephone at (302) 992-6824.

Respectfully submitted,

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